

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AUGUST 19, 1987

Mr. Steve Wunderly
Senior Chemist
Beckman Instruments, Inc.
2500 Harbor Boulevard
Box 3100
Fullerton, California 92634

Dear Mr. Wunderly:

This is in response to your letter of April 29, 1987, in which you requested an interpretation of the regulatory status under the Federal hazardous waste regulations of your liquid scintillation solution, Ready Safe, if disposed.

Under 40 CFR Part 261, a waste can be determined to be hazardous in one of two ways. Specifically, as defined in Subpart D, a waste could be a RCRA listed waste, or a waste, according to Subpart C, could exhibit one or more of the characteristics of a hazardous waste (ignitability, reactivity, corrosivity, or toxicity).

It is clear from the information you provided that your material is not a RCRA listed waste. See 40 CFR Part 261, Subpart D. However, the data did not provide the Agency with enough information to determine if the material would or would not exhibit one or more of the characteristics of a hazardous waste. It must be pointed out that, under 40 CFR 262.11, waste generators are responsible for determining whether or not their wastes exhibit one or more of the hazardous waste characteristics.

With respect to the hazardous waste characteristics, you must determine whether your liquid scintillation solution is ignitable, corrosive, reactive, or toxic. Liquid ignitable wastes are defined under §261.21 as those with a flash point of less than 140°F. Corrosive wastes are defined under §261.22 as those having a pH of less than or equal to 2 or greater than or equal to 12.5, or that are able to corrode steel at a rate greater than 6.35 mm (0.250 inches) per year at a test temperature of 55°C (130°F). Reactive wastes are defined under §261.33 as those exhibiting any of eight properties (see the enclosed regulations). Section 261.24 defines the characteristic of extraction procedure (EP) toxicity and indicates the test methods to be used to identify this characteristic.

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You should also note that the Agency has proposed a new leach procedure, the Toxicity Characteristic Leaching Procedure (51 FR 21648, June 13, 1986). When this proposal is finalized, waste generators will be responsible for determining whether their wastes meet this characteristic. In addition, you will need to check with your state or local authorities to determine whether this waste is regulated under their authority.

If you have any further questions, please contact Filomena Chau of my staff at (202) 382-4795.

Sincerely,

Matthew A. Straus, Chief
Waste Characterization Branch

Enclosure

bcc: Filomena Chau (WH-562B)